

ECONOMIC DEVELOPMENT

HIGHER EDUCATION

and

ENERGY COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Economic Development, Higher Education & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday, September 21, 2005.

MEMBERS PRESENT:

Legislator Lynne Nowick • Chairperson
Legislator Angie Carpenter • Vice•Chair
Legislator Brian Foley
Legislator Jon Cooper
Legislator Jay Schneiderman
Legislator Cameron Alden

ALSO IN ATTENDANCE:

Mea Knapp • Counsel to the Legislature
Joe Schroeder • Budget Review Office
Joe Muncey • Budget Review Office

Ilona Julius • Deputy Clerk of the Legislature
Ben Zwirn • County Executive's Office
George Gatta • Suffolk Community College
Adrienne Esposito • Citizens Campaign for the Environment
Maureen Dolan • Citizens Campaign for the Environment
Mark Serotoff • Sustainable Energy Alliance
Richard LaValle • Chief Deputy Commissioner • DPW
Kathleen Cameron • Sayville Chamber of Commerce
Chris O'Connor • Neighborhood Network
George Kirkham • Brookhaven SCORE
Tom Isles • Director • Suffolk County Planning Department
All other interested parties

MINUTES TAKEN BY:

Lucia Braaten • Court Stenographer

MINUTES TRANSCRIBED BY:

Donna Catalano • Court Stenographer

(* THE MEETING WAS CALLED TO ORDER AT 9:40 A.M. *)

CHAIRPERSON NOWICK:

Good morning, everybody. We will start the meeting with a Salute to the Flag led by Legislator Schneiderman.

SALUTATION

CHAIRPERSON NOWICK:

Good morning, everybody. We are going to start the meeting with the public portion, because we have a long agenda today. So I will call today first Kevin Mac Leod. Good morning.

MR. MAC LEOD:

Good morning, ladies and gentlemen. Right now, here in Suffolk County, we are experiencing an energy crisis not less than similar to the '70s. Some of us must remember that •• are we hearing?

CHAIRPERSON NOWICK:

Yes.

MR. MAC LEOD:

Currently gas prices are averaging around \$2.95 a gallon. Hurricane Katrina was bad enough, but to add insult to injury, a new hurricane again threatens to further disrupt the oil industry and set prices higher, here name is Rita. Where will fuel prices go next, 3.50 a gallon, \$4? Winter is around the corner. And if Mother Nature continues to be uncooperative this season, this season could be •• make or break for many Suffolk residents. God only knows how we would pay for the heat and electric this winter. And when things get rough, the people of Suffolk County will be looking to you for leadership and direction.

Being a representative of the solar industry, I can only offer recommendations on how to help with this crisis based on the solar renewables perspective. Hopefully at the November meeting we will do a full presentation before this committee. For the time being, I am offering this handout you have in front of you explaining some of the items we will discuss for your review and question. We wish to thank all those involved in the current legislation that has been passed, like Angie with the sales tax exemption for solar energy, we thank you for that. Cameron, with the 1% energy sales tax reduction that your sponsoring, and the \$500 million bond act sense resolution that was sponsored by Angie for the development and the purchase of renewable energy sources and the renewable energy park resolution, which is also on one of the agendas.

We cannot sit back and continue our dependence on fossil fuels, waiting for the next big storm or crisis. The answer is not to invest billions of more money into programs that do nothing to reduce our usage, but encourage increased domestic exploration and production of the same fuels that will only bring higher prices to us and huge profits to a few. We need to take the steps here at the grassroots level now, not when it's too late. Thank you.

CHAIRPERSON NOWICK:

Thank you. Mark Serotoff. I'm sorry if I mispronounced your name.

MR. SEROTTOFF:

I've heard a lot worse. Good morning. My name is Mark Serotoff, Coordinator of the Sustainable Energy Alliance of Long Island. I'm speaking in support of Legislator Cooper's Sense Resolution for repowering the Northport Power Plant. And there is no process, there's no procedure more effective than repowering. It will greatly reduce pollution over 90%, cut the amount of carcinogens in the air, reduce our fuel usage and can greatly increase our on-island generating capacity. Many jobs are created. There's many •• there's much support for this, as I spoke to you in the past about it.

The business community such as LIMBA, the Long Island Association, Long Island Business News, and LIPA itself, in their energy summit a few weeks ago at the Suffolk Community College, mentioned upfront repowering as a very important and worthwhile issue. Senator Schumer has come on board for repowering also. And when I think about it, we should not only •• not only include Northport, but other power plants as well as, such as the Port Jefferson Power Plant, and I think Legislator Fisher is working on a Sense Resolution for that too.

We have union support for repowering, the Boilermakers Union, the Roofers and Waterproofers Union, IBEW, Jack Kennedy's Building and Trades Council support repowering, and it's a very important and worthwhile thing that we can support.

And finally, I'd like to submit for the record this booklet, as well as the other letters, that state that the Northport Power Plant is the second dirtiest power plant in the region, not just Long Island, not just New York State. And there's a lot of cancer, a lot of respiratory disease, bronchitis, emphysema that's coming from this plant. We need it, but it has to be repowered. And your support of a Sense Resolution for that and Sense Resolutions to repower other power plants would be very beneficial for the public. Thank you.

LEG. ALDEN:

Through the Chair.

CHAIRPERSON NOWICK:

Thank you. Yes. Legislator Alden.

LEG. ALDEN:

I'm surprised to hear the support for nuclear power.

MR. SEROTTOFF:

Excuse me?

LEG. ALDEN:

You claim you want to see repowering.

MR. SEROTTOFF:

Repowering of the Northport •• of the antique power plants.

LEG. ALDEN:

I'm just surprised at the outpouring of support for nuclear power.

MR. SEROTTOFF:

I don't understand. Is there a question?

LEG. ALDEN:

Repowering what?

MR. SEROTTOFF:

Repowering Northport Power Plant, it's not a nuclear plant. Repowering is rebuilding the old power plant with modern state•of•the•art technology. These plants ••

LEG. ALDEN:

To still burn oil, though, right, and coal?

MR. SEROTTOFF:

No. There's no coal •• there hasn't been coal burning on Long Island in years.

LEG. ALDEN:

So when you say you support repowering, what do you support?

MR. SEROTOFF:

Repowering is the rebuilding of the old power plants to modern technology.

LEG. ALDEN:

To burn what?

MR. SEROTOFF:

They burn natural gas, mostly natural gas and some oil.

LEG. ALDEN:

What is the plan to actually repower, and that's by KeySpan or by LIPA, whichever?

MR. SEROTOFF:

The plan is formulated mostly by KeySpan, because they own the plants, but in conjunction with LIPA.

LEG. ALDEN:

Do to what? I just want to know what you're supporting, you know, nuclear power, gas power, burning oil again, burning coal. I just want to know what you're supporting.

MR. SEROTOFF:

I'm supporting the rebuilding of these plants to state •• these power plants on Long Island.

LEG. ALDEN:

Right.

MR. SEROTOFF:

To state •• I'm not supporting nuclear power. You keep mentioning that.

LEG. ALDEN:

You didn't say what you support, actually. You just said you'd like the rebuilding or repowering of these plants. To do what? What are they going to burn?

MR. SEROTTOFF:

They will burn the fuels they burning now.

LEG. ALDEN:

Okay. So you support fossil fuels?

MR. SEROTTOFF:

Mostly natural gas and greatly reduce pollution.

LEG. ALDEN:

Good. That was my question. Thank you.

CHAIRPERSON NOWICK:

Thank you very much.

MR. SEROTTOFF:

You're welcome.

CHAIRPERSON NOWICK:

Richard LaValle. Good morning.

CHIEF DEPUTY COMMISSIONER LAVALLE:

Good morning. My name is Richard LaValle, Chief Deputy Commissioner, Suffolk County Department of Public Works. And I'm here to speak in opposition to Intro Resolution 2000, which purports to preserve the County's resources for sustainable growth initiative in the Town of Babylon. The resolution seeks to deny the ability of the Department of Public Works to analyze traffic operations and make recommendations to mitigate potential problems on our roads that may be impacted by the development of Commack Road in the vicinity of Grand Boulevard. Our highway and traffic engineers are professionals with extensive experience, whose responsibility

it is to assure the safety of the traveling public on the County road system.

We provide an independent analysis and make recommendations as to the necessary mitigation measures associated with development along our roads. If we are prevented from performing an independent review, who then will be protecting the County's interests with respect to its traveling public and safety thereof? The Town of Babylon in this particular case is the lead agency for the proposed project. As such, they will make the final determination as to the viability and potential environmental, social, traffic and other impacts involving the project.

The County's lack of participation in this particular project may not prevent the project approval, and as such, needed improvements on our road system may not be progressed by the developer at the time of construction. This ultimately may lead to traffic operational problems, which would require future improvements that would have to be progressed at the County's expense and ultimately the expense of the public.

Basically, the resolution says to the public, the County's going to stick its head in the sand and hope that this whole development goes away on its own. Instead, we should not be predetermining the merits of this development. Contrary to this resolution, we should be utilizing our resources to ensure that every aspect of the proposed development is studied and measures developed to provide for the safety of the traveling public. It is, therefore, essential that we be involved in every phase of the planning and approval process associated with this project. We're, therefore, requesting that you do not approve this resolution in its current form. Thank you.

LEG. ALDEN:

I have one question.

CHAIRPERSON NOWICK:

Legislator Alden.

LEG. ALDEN:

Rich, I just have a quick question. On the concept of whether to build or not

to build, we really don't have any jurisdiction over that, correct?

CHIEF DEPUTY COMMISSIONER LAVALLE:

No. That basically is a town decision. Our concern is that this resolution prevents us from even reviewing the merits of this proposal and determining what impacts, if so, would require mitigating measures. So it's in the County's best interest for us to provide this independent analysis, and basically that's what it is. The current analysis would be done by the developers, engineers, their consultants. They're not necessarily going to be protecting the County's interest. We need someone to protect the County's interest, that's where we step in. It's our responsibility to ensure the safety of the traveling public on our roads.

LEG. ALDEN:

Thanks, Rich.

CHAIRPERSON NOWICK:

Thank you, Richard. George Kirkham.

MR. KIRKHAM:

Good morning.

LEG. ALDEN:

Good morning.

MR. KIRKHAM:

I attempted to make an appointment to see Ms. Nowick, and your nice assistant told me it would be much easier to come here and explain what SCORE does to more than one person at a time. Has anybody heard of SCORE?

Affirmative response

MR. KIRKHAM:

We have not done, obviously, a good job of explaining what we're doing. SCORE is a volunteer of the Small Business Administration, and we voluntarily supply counseling at different times to people who want to start a

business, who want to buy a business, who want to make their business bigger, and on rare occasions, want to sell their business. We have meetings in Brookhaven, there are other chapters in Riverhead, there's one in Huntington and there's one in Bay Shore. We also are on the Bridgeport Ferry twice a month, and we also have meetings in libraries. And we are part of 11,000 councils across the country, so it's a national organization that does a terrible job in getting its name out.

And the purpose in being here is just to •• that's really in a nutshell to what we do. But if you have opportunities, people come to you as your role to ask for help in starting a business, buying a business, call up a local SCORE chapter and ask and send them right over, and we'll be willing to help these people get going. We have •• I'd say the four chapters probably see several thousand people a year, so it's not a •• you know, and it does actually help, because the one sad thing is to try to encourage somebody to start a business when they have no chance to make it succeed. And we equally discourage people who clearly don't have a clue what they're doing, and we help people start successful businesses. So if you have an opportunity like that, just remember that SCORE is here to help. Thank you very much.

CHAIRPERSON NOWICK:

Do you have brochures with you?

MR. KIRKHAM:

I have •• no. The only thing I have is an explanation of Long Island's SCORE.

CHAIRPERSON NOWICK:

Well, that would be •• if you could pass it around to us, I think that would be very interesting. Yeah, Ilona, if you could. I think Legislator Cooper has a question.

LEG. COOPER:

Not really a question, a statement. Actually, the Huntington Chapter of SCORE was •• they lost the space that they had been given by a local bank, and I adopted them. And they're actually now running their program out of my district office one or two days a week. And I just wanted to point out

the tremendous benefit that they have provided to the local small business community. We get a constant stream of visitors on the days when SCORE operates out of my office, from small businesses or from start•ups that count on them to offer advice and to provide resources. So you provide a wonderful service. I wish that you did have more publicity.

MR. KIRKHAM:

We're going to get more, at least our chapter is.

LEG. COOPER:

But it really does provide a wonderful service to the small business community.

MR. KIRKHAM:

Thank you very much.

CHAIRPERSON NOWICK:

Thank you very much for coming and telling us about what you do. Immediately I'm thinking about a lot of the young people. We often talk about in the Legislature about brain drain and people leaving, but young people who are looking to start businesses might not know the proper way to go about it. I assume that would be there for them if they contacted you.

MR. KIRKHAM:

We actually •• almost all the chapters are trying to work particularly with community colleges where after two years these people are going •• it's interesting how many young people want to start their own business.

CHAIRPERSON NOWICK:

And so you direct them a little bit and you guide them and you tell them if they have possibilities of succeeding in your opinion as businessmen.

MR. KIRKHAM:

Exactly. And we do not provide financing, but the SBA does, and we refer a lot of them to the banks that the SBA guarantees loans for.

CHAIRPERSON NOWICK:

I think that's great. Thank you very much for sharing that with us.

MR. KIRKHAM:

Thank you.

CHAIRPERSON NOWICK:

Tom Isles.

DIRECTOR ISLES:

Good morning. I'm here today to speak in relation to Introductory Resolution 2000, Mr. LaValle just spoke on it, regarding the comments of the Department of Public Works. It does, however, also affect the Department of Planning. And specifically, as you know, what it would do is prohibit the Department of Planning from allocating any staff resources or equipment towards the review of what's known as the Tanger application in the Town of Babylon.

What I would like to point out to you is that Richard's comments regarding the Public Works impacts certainly were right on point. The County Planning Commission is a little bit different. The County Planning Department provides services to the County Planning Commission. You should be aware that the County Planning Commission is given only forty•five days from the receipt of an application to act on it. So under the circumstances we're facing, if we were to be directed not to put any staff work into a particular application, in this case the Tanger application, it would then go to the County Planning Commission with no staff report or analysis. If the County Planning Commission fails to act within that forty•five day period, it's a default approval.

So the end result then of the County Planning Department being prohibited from being involved in this in any way, shape or form is that the County Planning Commission then has no information on which to make their decision. If they fail to make a decision, it's a default approval. So, therefore, I think the •• any kind of positive contribution that the County Planning Commission could make on this application would be totally prevented with the passage of this application •• of this resolution, pardon me. I think that's pretty critical to this particular case.

And then secondly, I think there's a real problem, a precedence of reducing the independence of the County Planning Commission in terms of having a process whereby they are then selected on where they can work on an application and where they can't. So we think as a requirement and a benefit of having an independent County Planning Commission and having a separation of roles, we feel that this resolution would intrude into that. And we feel, in fact, it's contrary to the intent of the sponsor. I understand his concern for this development, but I don't think this is the way to do it. And I think this would actually be more harmful in many regards than positive in any way, shape or form. Thank you.

CHAIRPERSON NOWICK:

Thank you very much, Tom. Kathleen Cameron.

CHAIRPERSON NOWICK:

Good morning, Kathleen.

MS. CAMERON:

Good morning. I am Kate Cameron for the Greater Sayville Chamber of Commerce. I am the Director of the Revitalization Committee. And I'm here today to answer any questions or any concerns that you have regarding the resolution that is before you today. I also would like to thank you on behalf of all the downtowns, because this program and this money is so important to the success of all the downtowns, and I know that in Sayville it has helped us so much. So if anybody has any questions, I would be more than happy to answer any of them for you.

CHAIRPERSON NOWICK:

Thank you for coming today.

MS. CAMERON:

Thank you very much.

CHAIRPERSON NOWICK:

Chris O'Connor.

MR. O'CONNOR:

Good morning. My name is Chris O'Connor, and I'm Program Director for the Neighborhood Network. And I'm here today to speak in support of Legislator Cooper's Sense Resolution on repowering. Over the years, the Neighborhood Network and myself have been involved on numerous energy issues, working to make sure that we have a sustainable energy system here on Long Island, working through conservation, through renewables, supporting various different projects. The idea about what repowering is simply let's take some of these old dirty antiquated power plants and take them off line and make them more efficient, where they are burning less oil, using more gas, and burning at a higher rate of efficiency and a higher rate of output.

In that way, we will have a cleaner and perhaps more reliable energy source. Yes, unfortunately, it is •• we are relying on more fossil fuels, which, you know is something that we on Long Island will be continually held hostage to until we develop more alternative energy resources, such as solar, wind and fuel cells. But this is a first beginning and we need as a community, as a Legislature to begin to send a message that times are changing and we need a more efficient, more cleaner form of burning resources in our power output and grid here on Long Island. Thank you.

CHAIRPERSON NOWICK:

Thank you. Thank you, O'Connor. Adrienne Esposito.

MS. ESPOSITO:

Good morning, Legislators. Just two quick comments on two separate issues. One is the hiring of the attorneys, which this Legislature, has, you know, committed to doing, to fight the Broadwater proposal. I guess this is just a commentary to you, please hurry up. You have missed the ability to comment at the public scoping hearings in front of the Federal Energy Regulatory Commission as well as the Coast Guard. As you probably are aware, those hearings took place last week. Other municipalities, for instance, the Town of Huntington, did hire their attorneys in time and did have testimony in front of the Coast Guard and in front of the FERC, providing scoping commentary and items as well as safety and security concerns to the Coast Guard, which is what those hearings were for, and the

remainder of the hearings are this week in Connecticut.

So anyway, we missed that opportunity, but we'll have plenty of other opportunities, particularly to comment on the draft EIS, which currently is tentatively scheduled to come out in March or April of 2006. And obviously, we'll certainly need our ducks in a row at that point for the County to offer their evaluation and their considerations concerning the draft EIS. So we just wanted to let you know we're waiting with baited breath for the attorneys to be hired.

The second issue is the issue •• we also support Legislator Cooper's Sense Resolution on repowering the Northport Power Plant. Essentially what this does is something that wasn't mentioned yet is that it reduces our reliance on fossil fuels. Repowering will reduce the need for fossil fuels by 30% and generate the same amount of power. So it reduces fossil fuel consumption, and also it reduces air emissions to a staggering degree, and I don't use that word lightly. It can reduce the air emissions from that one plant by between 70 and 90%, and that includes carbon dioxide, carbon monoxide, nitrogen oxide, sulfur dioxide and particulate matter. So that's not a small health benefit.

Also, you may be aware or you should be aware that Suffolk County is still out of compliance with the ozone •• ozone levels and also particulate matters stated by •• or set by the EPA. So as a county, we're still struggling to come into compliance. And obviously reducing the emissions that cause ground level ozone and cause particulate matter emissions would help us a great deal in meeting EPA standards. So for those reasons, we also support the repowering. Thank you very much.

CHAIRPERSON NOWICK:

Thank you very much, Adrienne. Is there anybody else that needs to address the committee? Please speak now. Okay. I was going to go into Executive Session, but I know there are a few people from the public that are waiting our decisions on some of the pieces of legislation, so I'm going to go right into the agenda. Okay. I see 1360 was tabled subject to call, so we'll go to **1417, to evaluate the feasibility of establishing a renewable energy park on County property (COOPER)**. Did I have a

motion?

LEG. COOPER:

I'll table for one more meeting.

LEG. ALDEN:

Second.

CHAIRPERSON NOWICK:

Legislator Cooper makes a tabling motion, Legislator Alden seconds it. 1417 has been **tabled (VOTE:6•0•0•0)**.

1444, adopting Local Law No •• 2005, a Local Law adopting Labor Law Compliance Policy for the Suffolk County Industrial Development Agency (COUNTY EXEC). I think there were still some questions on that, technical and legal, so I'm going to make a motion to table, do I have a second?

LEG. ALDEN:

Second. Is Bond Counsel here?

CHAIRPERSON NOWICK:

Is Bond Counsel here?

LEG. ALDEN:

They're the ones I have questions for. They're not here.

LEG. NOWICK:

1444 has been **tabled (VOTE:6•0•0•0)**.

1714, to renew, reauthorize, revise and revamp the Suffolk County Downtown Revitalization Program (MONTANO).

LEG. ALDEN:

Motion to approve.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Alden.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Seconded by Legislator Cooper. All in favor? Opposed?

LEG. COOPER:

I haven't missed that many meetings.

CHAIRPERSON NOWICK:

1714 has been **approved (VOTE:6•0•0•0)**.

LEG. ALDEN:

Jon, zip it.

LEG. NOWICK:

1838, approving the change to Project for Downtown Revitalization Round III funding for the Greater Sayville Chamber of Commerce (COUNTY EXEC).

LEG. FOLEY:

Motion to approve.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Foley.

LEG. COOPER:

Second the motion.

LEG. CARPENTER:

Second.

CHAIRPERSON NOWICK:

Seconded by Legislator Carpenter. All in favor? Opposed? All in favor?

1838 is **approved (VOTE:6•0•0•0)**.

INTRODUCTORY RESOLUTIONS

1986, accepting and appropriating a grant award from the Rotary Club of Islip for an outdoor learning lab/classroom 100% reimbursed by private funds at Suffolk County Community College (COUNTY EXEC).

LEG. CARPENTER:

Motion to approve and put on the Consent Calender.

CHAIRPERSON NOWICK:

Motion to approve and put on the Consent Calender by Legislator Carpenter, seconded by Legislator Foley.

LEG. SCHNEIDERMAN:

I said it.

CHAIRPERSON NOWICK:

I'm sorry. All in favor? Opposed? 1986 is **approved** and placed on the **Consent Calender (VOTE:6•0•0•0)**

2000, to preserve County resources for sustainable growth initiative in Babylon (BINDER). Motion to table by Legislator Carpenter, seconded by Legislator Cooper. All in favor? Opposed? 2000 is **TABLED (VOTE:6•0•0•0).**

Sense resolutions

S•60. Sense of the Legislature Resolution requesting New York State to enact a bond act to finance the development and purchase of renewable energy sources (CARPENTER).

LEG. CARPENTER:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Carpenter, seconded by myself. All in favor?
Opposed? Sense 60 is **approved (VOTE:6•0•0•0)**.

Tabled sense resolutions

S•43, Sense of the Legislature Resolution in support of the LIPA offshore wind energy park (COOPER). Legislator Cooper, was there some change in the language there or something you were working on there?

LEG. COOPER:

No.

LEG. CARPENTER:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table.

LEG. SCHNEIDERMAN:

Jon, you want this tabled?

LEG. COOPER:

I'll second the motion.

CHAIRPERSON NOWICK:

Motion to table by Legislator Carpenter, seconded by Legislator Cooper. All in favor? Opposed? 43 is **tabled (VOTE:6•0•0•0)**.

S•58, Sense of the Legislature Resolution in opposition of the relicensing of Indian Point 2 and Indian Point 3 (VILORIA•FISHER).
Do I have a motion?

LEG. SCHNEIDERMAN:

Motion.

CHAIRPERSON NOWICK:

Motion?

LEG. ALDEN:

To do what?

CHAIRPERSON NOWICK:

Table?

LEG. SCHNEIDERMAN:

No.

LEG. FOLEY:

Motion to approve. Motion to approve.

LEG. SCHNEIDERMAN:

Motion to approve.

LEG. ALDEN:

On the motion.

CHAIRPERSON NOWICK:

On the motion.

LEG. ALDEN:

I have a lot of concerns about Indian Point and the fact that it's built on a fault line and there's a whole bunch of other things. As far as timeliness of this, when does it actually go into •• isn't it 2011 or something like that? 2013?

CHAIRPERSON NOWICK:

2013 and 2015.

LEG. ALDEN:

I think we might have a little time on this one. Maybe we should just consider this a little bit, you know, in more depth. I make a motion to table.

CHAIRPERSON NOWICK:

I think Legislator Alden has some questions. He's made a motion to table, seconded by myself.

LEG. SCHNEIDERMAN:

On the motion.

CHAIRPERSON NOWICK:

All in favor? Opposed? On the motion, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I just don't see the •• I just don't see the point of waiting. It would clearly •
• you know, from my position, Mill Stone was a problem, Indian Point is a problem. You know, these should not be relicensed, these old plants. You know, I don't know how long you want to study them, but I'm going to oppose the tabling motion.

LEG. ALDEN:

In response, if I may?

CHAIRPERSON NOWICK:

Yes, Legislator Alden.

LEG. ALDEN:

I think that if we make a statement now, by 2013 that's going to be a little bit lost in someplace, lost in space. I think that if we want to have an impact, we might want to wait a little bit, you know, like, from this date, go forward a little bit more, and then actually do something official or do something with a little more clout rather than make a statement now that's just going to, you know, basically get lost in space.

LEG. SCHNEIDERMAN:

These plants have come in way early for their relicensing. So they're going through the NRC now in their processing.

LEG. ALDEN:

No. That's the guys in Connecticut. They guys haven't.

LEG. SCHNEIDERMAN:

It's the same thing.

CHAIRPERSON NOWICK:

We're going to table for this cycle.

LEG. FOLEY:

Mark me in opposition.

LEG. COOPER:

I'm opposed as well.

CHAIRPERSON NOWICK:

Okay. Opposed, Legislator Cooper, Legislator Foley, Legislator Schneiderman. And approved, Alden, Carpenter, Nowick. That tabling motion ••

LEG. ALDEN:

Fails.

CHAIRPERSON NOWICK:

Fails.

CHAIRPERSON NOWICK:

Okay. Do I have a motion?

LEG. FOLEY:

Motion to approve.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Foley, seconded by?

LEG. SCHNEIDERMAN:

Legislator Schneiderman.

LEG. ALDEN:

Abstain.

CHAIRPERSON NOWICK:

All in favor? Opposed? Legislator Alden has abstained. Sense 58 is **approved (VOTE:5•1•0•0 • Abstention: Legis. Alden).**

S•59, Sense of the Legislature Resolution in support of the rebuilding and/or repowering of the outdated Northport Power Plant (COOPER). Motion by Legislator Cooper, seconded by myself. All in favor?

LEG. ALDEN:

Just on the record, Jon, you favor what?

LEG. COOPER:

I favor either rebuilding or •• we could either rebuild this plant or we can tear down this plant and build a new plant on the site, but in either case, it would be much more energy efficient, much less polluting, it would probably use fossil fuels, but hopefully a greater reliance on natural gas, which is better than oil, but in any case, it would be a more efficient, cleaner source of power for Long Island.

LEG. ALDEN:

Unfortunately, we're recognizing we're kind of stuck with fossil fuels, but if we're going to use fossil fuels, you want to use it to the cleanest degree, the most efficient degree.

LEG. COOPER:

Exactly. I and many of us are supporters of ••

LEG. ALDEN:

Not nuclear power, right?

LEG. COOPER:

Many of us are supporters of other renewable technology such as wind and solar and hydro and bio diesel, but in the interim period when we still need to rely on fossil fuels, we should use those resources as efficiently as possible.

LEG. ALDEN:

Good.

LEG. SCHNEIDERMAN:

This plant currently is not operational?

LEG. COOPER:

No, it is operational.

LEG. SCHNEIDERMAN:

The name is very confusing.

CHAIRPERSON NOWICK:

It's operational. It's over on the North Shore there by Northport.

LEG. SCHNEIDERMAN:

I understand it's a dirty plant, but in the name, the repowering sounds like it's off now. So it's basically •• it would be nice if it had a different name, like, the ••

LEG. FOLEY:

It's a term of art that's used.

LEG. COOPER:

What would you like to call it?

LEG. SCHNEIDERMAN:

The retrofitting with clean filtration ••

LEG. COOPER:

It is known as repowering. I don't want to redefine the term right now.

LEG. SCHNEIDERMAN:

It just sounds like we're promoting fossil fuels, and I hate to do that.

CHAIRPERSON NOWICK:

Sense 59 has been **approved (VOTE:6•0•0•0)**. I'm going to make a motion to go into Executive Session.

LEG. FOLEY:

For the purpose, Madam Chair?

CHAIRPERSON NOWICK:

For the purposes of litigation. Seconded by Legislator Foley. All in favor? Opposed? I'm going to ask everybody to •• the County Attorney, if you could stay, please. We can shut off the microphones, ask everybody else to leave.

(* AN EXECUTIVE SESSION WAS HELD FROM 10:12 A.M. UNTIL 11:42 A.M. *)

CHAIRPERSON NOWICK:

Okay. The Executive Session is over. Do I have a motion to adjourn the meeting?

LEG. COOPER:

Motion to adjourn.

CHAIRPERSON NOWICK:

Motion by Legislator Cooper, seconded by myself. The meeting is adjourned.

LEG. ALDEN:

You've got to put this on the record.

LEG. FOLEY:

You have to put this on the record. We have to vote on this on the record.

MS. KNAPP:

On the recommendation?

LEG. ALDEN:

Yeah.

LEG. CARPENTER:

We're not doing a vote.

LEG. ALDEN:

This committee has selected ••

CHAIRPERSON NOWICK:

I'm doing whatever Legal Counsel tells me.

CHAIRPERSON NOWICK:

Motion to withdraw the adjournment by myself, seconded by Legislator Carpenter. We're back in session.

LEG. SCHNEIDERMAN:

Back in regular session.

LEG. ALDEN:

To make a record of what we just did.

MS. KNAPP:

Lynne, this committee makes a recommendation for the full Legislature, and I'll prepare that procedural resolution for the Legislature putting in the firm's name.

LEG. ALDEN:

But we have to do it on the record.

LEG. NOWICK:

No, she's says no.

LEG. ALDEN:

Mea, she's got to announce it on the record.

LEG. CARPENTER:

No, she doesn't.

LEG. ALDEN:

You have to make a record of what we just did.

MS. KNAPP:

No, you don't. I'm going to prepare a procedural resolution for the Legislature putting in the firm's name.

LEG. ALDEN:

But we have no record of how that came about.

MS. KNAPP:

It's done in Executive Session.

LEG. ALDEN:

You have to announce the results of Executive Session. I think you have to put it on the record.

MS. KNAPP:

No, you don't.

LEG. SCHNEIDERMAN:

Motion to adjourn.

CHAIRPERSON NOWICK:

Okay. I have a motion to adjourn once again by myself, seconded by Legislator Carpenter. The meeting is adjourned.

(* THE MEETING WAS ADJOURNED AT 11:46 A.M. *)

_ _ **DENOTES BEING SPELLED PHONETICALLY**